

## **County of Sullivan, NH**

**Type of meeting:** **Board of Commissioners – Public Hearings & Regular Business Meeting**

**Date/Time:** **Tuesday, May 3, 2011; 3 PM**

**Attendees:** Commissioners Bennie Nelson – *Chair*, Jeffrey Barrette – *Vice Chair* and John M. Callum Jr. – *Clerk*; Greg Chanis – *County Administrator*; Donna Lane – *CDBG Administration Consultant*; Liz Sweeney – *CRDC Loan Officer/Economic Development Associate*; Ted Purdy – *Sullivan County Health Care (SCHC) Administrator*; and Sharon Callum – *Administrative Assistant/Minute Taker*

**Public Attendees:** Archie Mountain – *Eagle Times Staff Reporter/Argus Champion Editor*

**3:00 PM** The Chair opened the meeting and led all in the *Pledge of Allegiance*.

### **Agenda Item No. 1 Public Hearings**

Informational packages were provided to all attendees, which included:

- The Public Hearing Notice [Appendix A] and Sullivan County CDBG Applications Handout [Appendix B.1-11]

### **The Commissioner Chair Opened the 1<sup>st</sup> Public Hearing**

Donna Lane read through the following:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and up to \$350,000 for emergency activities, all projects must directly benefit primarily low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed implementation application to the Community Development Finance Authority for up to \$220,000 in Community Development Block Grant funds. Of the 2011 Economic Development funds, up to \$200,000 will be sub-granted to the New Hampshire Alliance of Regional Development Corporations, as a Grant to a Non-Profit, on behalf of its member entities; the individual regional development corporations will be the recipient of up to \$20,000 each. The funds will be used to assist with the operation of New Hampshire Regional Development Corporations and to promote economic development in New Hampshire. The project will provide funding to each of the state's participating RDC's to increase the expertise and capacity of the RDCs to capitalize and manage local revolving loan funds or expand lending activities and other economic development services. This project conforms with Sullivan County's Housing and Community Development Plan's Goal of: Encourage and support the

development of a balanced, diversified, healthy, economy for the County. Objective: Promote the retention and expansion of employment opportunities. Funding request: up to \$220,000

**The Chair requested public comments.**

There were no comments or questions submitted.

**The Commissioner Chair Closed the Public Hearing.**

**The Commissioner Chair Opened the 2<sup>nd</sup> Public Hearing.**

Donna Lane read through the updated Housing and Community Development Plan, as follows:

**SULLIVAN COUNTY, NH**

**HOUSING AND COMMUNITY DEVELOPMENT RE-ADOPTED PLAN**

Sullivan County's Housing and Community Development Plan (Plan) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the County's housing and community development objectives and actions. The Housing and Community Development of the Upper Valley-Lake Sunapee Region, the master plans of the County's 15 communities, and the Regional Master Plan were used as the basis for the Plan.

The Plan's goals and objectives are identified below and are consistent with the National and State Housing and Community Act objectives listed in State of New Hampshire Community Development Block Grant Program Rules (Pln. 301.03). These goals and objectives are both short and long term. Particular concern was given to the needs of low and moderate-income person, minorities and disadvantaged people.

The county states that as a matter of policy, involuntary displacement of households from their neighborhoods, by actions of the County shall be minimized.

Citizen comments regarding the Plan have been solicited during the public hearings held in this current year in past years. The most recent public hearing was held on May 3, 2011.

**SULLIVAN COUNTY**

**HOUSING AND COMMUNITY DEVELOPMENT PLAN**

**GOALS AND OBJECTIVES**

**ALL GOALS ARE BOTH SHORT AND LONG TERM**

**GOAL I:** Encourage and support the development of a balanced, diversified, healthy, economy for the County.

- Objective 1: Promote the retention and expansion of employment opportunities.
- Objective 2: Encourage the location of businesses in appropriate locations.
- Objective 3: Encourage and assist units of government and the private sector to provide the basic ingredients necessary for continued economic stability, specifically: land, infrastructure, labor force, energy and transportation.
- Objective 4: Encourage the development of an industrial base which is clean, non-polluting and diversified.
- Objective 5: Encourage and support units of government to provide viable, efficient and productive industrial areas so as to benefit the economy of the County.
- Objective 6: Encourage and assist units of government to provide adequate services, transportation and amenities to enhance the competitive position of the region's existing industries.

- Objective 7: Encourage the fullest use of existing industrial centers and benefit from existing facilities and services.
- Objective 8: Plan for the most beneficial siting and servicing of industry.
- Objective 9: Encourage and assist municipalities to provide viable, attractive, and efficient commercial areas to serve adequately the existing and anticipated retail/service business needs of the resident and seasonal/tourist population of the County.
- Objective 10: Support the provision of alternative and low-cost energy sources so as to attract and retain desirable industry and commerce.
- Objective 11: Promote tourism in the region.
- Objective 12: Encourage cooperation among local and County governments, business and civic organizations.
- Objective 13: Promote vocational education and job training programs.
- Objective 14: Encourage the development of local and county wide development tools, such as revolving loan fund, to facilitate development opportunities.
- Objective 15: Support the Sullivan County Economic Development Program, now known as the Western Region Development Committee.

**GOAL II:** Provide safe and convenient circulation patterns in Sullivan County.

- Objective 1: Provide an adequate road system and upgrade existing roads.
- Objective 2: Ensure that new roads and driveways and access points be located so as to maximize public safety.

**GOAL III:** Enhance the appearance of Sullivan County through the provision of attractive and well-planned landscaping and park areas.

- Objective 1: Promote the planting and maintenance of trees, shrubs, and lawn areas where such landscaping will visually enhance the appearance of the area.
- Objective 2: Reserve significant natural and man-made features of the landscape where such elements make a positive contribution to the overall appearance of Sullivan County.
- Objective 3: Provide expanded access and public park space along waterfront areas.
- Objective 4: Promote creative and well-planned utility design to reduce the cluttered appearance of overhead cables, telephone poles, street lamps, etc.

**GOAL IV:** Encourage the protection, enhancement and renovation of significant historical and architectural resources in Sullivan County.

- Objective 1: Encourage full use/occupancy and historic structures to retain and enhance their economic viability and ensure that they will be maintained.
- Objective 2: Conduct an inventory and survey of historic structures and sites in Sullivan County.
- Objective 3: Encourage proper rehabilitation of historic buildings.
- Objective 4: Encourage property owners to have their buildings placed on the National Register of Historic Places, if appropriate and acceptable to the owners.
- Objective 5: Promote local history through display of photographs in public areas, placement of markers at key sites and structures and by encouraging the efforts and activities of historical groups.

**GOAL V:** Encourage adequate, safe and convenient housing for all age and income groups.

- Objective 1: Increase and improve housing through renovation and/or rehabilitation of existing structures and through new development.
- Objective 2: Encourage diversified housing patterns with a wide range of types and prices, including housing for the young, the elderly

and the handicapped.

Objective 3: Housing needs must be determined and an acceptable rural housing rehabilitation strategy should be developed.

**GOAL IV:** Promote the health and safety of the County's residents and visitors.

Objective 1: Promote fire safety in all public and private buildings.

Objective 2: Provide adequate lighting to maintain safety and nighttime visibility.

Objective 3: Provide adequate police and fire protection.

Objective 4: Provide adequate roads, which are properly maintained.

Objective 5: Upgrade deficient water supplies in conformance with the Safe Water Drinking Act.

**GOAL VII:** Provide adequate health, social and recreational services for County residents.

Objective 1: Promote the establishment of local community centers.

Objective 2: Provide office space for health and social services.

Objective 3: Recreational needs must be assessed. Plan for much-needed recreational community facilities.

Objective 4: Encourage the establishment of day care facilities and programs.

**GOAL VIII:** The County and local communities should continue to join with neighboring communities to provide certain community facilities and services when a regional approach is cost effective and reasonable.

Sullivan County does not have a Master Plan and Ordinances, but these goals are consistent with the Housing and Community Development of the Upper Valley-Lake Sunapee Region, the master plans of the County's 15 communities, and the Regional Master Plan (all of which were used in developing this Plan).

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons or households to the exclusion of low income persons or households

### **The Commissioner Chair requested public comment.**

The Chair questioned how the categories of size were established? Ms. Lane noted they were based on household size, and would attain a data spreadsheet for him. There were no further comments or questions submitted.

### **The Commissioner Chair Closed the 2<sup>nd</sup> Public Hearing**

### **The Commissioner Chair Opened the 3<sup>rd</sup> Public Hearing**

Donna Lane, read through the following:

#### **DISPLACEMENT AND RELOCATION CERTIFICIATION**

Sullivan County

#### **RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the County. However, if the situation should arise, Sullivan County will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
  1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or;
  2. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. The right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and
- j. The right of appeal to the director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.
- k. Subparagraph (2) a. through g. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

#### CERTIFICATION OF COMPLIANCE

Sullivan County anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the County certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

Ms. Lane noted this project does not involve any displacement or relocation of persons or businesses, but the plan must be re-adopted

**The Commissioner Chair requested public comments**

There were no other comments or questions from the public submitted.

**The Commissioner Chair Closed the 3<sup>rd</sup> Public Hearing**

**3:10 Motion: to readopt the Housing and Community Development plan. Made by: Barrette. Seconded by: Callum Jr. There was no discussion. Voice vote: All in favor.**

**3:11 Motion: to readopt the Anti-displacement and Relocation plan. Made by: Barrette. Seconded by: Callum Jr. There was no discussion. Voice vote: All in favor.**

**3:12 Motion: to approve the submittal of the CDBG application and vote to authorize the County Administrator to sign and submit the application and upon approval of the CDBG application, authorize the County Administrator to execute any documents which may be necessary to effectuate the CDBG contract. Made by: Barrette. Seconded by: Callum Jr. There was no discussion. Voice vote: All in favor.**

Mr. Chanis and the Board members signed and dated the appropriate forms, with witness by Ms. Callum, and notarization by Donna Lane. (Copies of ratified forms are on file at the County Commissioners Office.)

**Non Agenda Item      Other CDFA Program Funding**

Mr. Chanis and Ms. Lane discussed possible CDFA funding for development of the water system serving the County complex nursing home and department of corrections. Ms. Lane will e-mail data about the program, which will reflect match, maximum available and application deadline, to Ms. Callum; odds are better if the County could match funds 50/50.

*3:17 Ms. Lane and Ms. Sweeney left the meeting.*

**Agenda Item No. 2      County Administrator's Report**

Agenda Item No. 2.      FY '12 Budget Update – MS46 Review & Authorization

A copy of the MS46 form was distributed [Appendix C.1-5]. The MS46 form contains the proposed FY '12 County Commissioners budget, and will be distributed to all County towns/city, the State; once mailed, the County has no earlier than 10 days, or later than 20 days, to hold a hearing of the budget.

**3:20 Motion: to approve the MS46 form as printed and signed by the Commissioners. Made by: Barrette. Seconded by: Callum Jr. Voice vote: All in favor.**

Mr. Chanis noted, after speaking with the Delegation Chair, they have tentatively set a hearing date for May 16<sup>th</sup>, at the Newport County Complex.

Agenda Item No. 2.b. Barn Lease Proposal Review

Mr. Chanis noted, Monday May 2<sup>nd</sup> was the Barn Lease Proposal deadline. They received one proposal [Appendix D] from April Bartley offering \$725 per year, which would include maintaining the building. Copies of a letter from Ethel Jarvis, as well as an e-mail, were distributed [Appendix E.1-4 ]. A discussion commenced regarding interpretations of a previously discussed land ordinances, as well as the Commissioners intent with the property – how many acres to include and how long of a lease. Mr. Chanis will return to the next meeting with a draft for a two year lease and 2-3 acres.

Agenda Item No. 2.c. Primex Agreement Review

A package of documents that included [Appendix F.1-8]:

- February 25, 2011 two page letter from Carl Weber of Primex,
- One page CAP announcement with goals and description,
- Three page CAP Frequently Asked Questions for Workers' Compensation and Property & Liability,
- CAP Addendum to Multi-Year Discount Program Agreement for Property & Liability, and
- CAP Addendum to Multi-Year Discount Program Agreement for Workers' Compensation.

Mr. Chanis noted the County has already entered multi-year agreements for property liability and workers comp; that this program increases stability through pre-determined amounts, with increases not to exceed 8% for Workers Compensation and 7% for Property & Liability; there appears to be no down side to executing the agreement.

**3:40 Motion: to authorize the County Administrator to enter into the Contribution Assurance Program Addendums to Multi-Year Discount Program for both Property & Liability and Workers Compensation. Made by: Barrette. Seconded by: Callum Jr. Voice vote: All in favor.**

*3:41 County Attorney, Marc Hathaway entered room.*

**Agenda Item No. 3. Commissioners' Report**

**Agenda Item No. 3.a. Commissioners Appointment to Nursing Home Trust Fund**

Mr. Chanis provided a brief history of the committee, the members who participate, how many times they meet per year.

**Commissioner Callum Jr. volunteered to be on the committee.**

**Agenda Item No. 3.b. Any Old or New Business**

The 5/13 Grafton County meeting was postponed.

The 5/13 Conversation with the UNH President, in Claremont, is still scheduled.

**Non Agenda Item Sugar House Operation RFP - Open House**

Mr. Chanis confirmed five prospective bidders walked the sugar bush with the County Forester; two prospective bidders noted they'd boil sap on the premises, while three indicated they would collect and transport to their own operations.

**Non Agenda Item Sullivan County Annual Pancake Breakfast**

It was noted the Annual Pancake Breakfast was scheduled for Sunday, June 12<sup>th</sup> Sunday 7-11; a preplanning meeting would be set in May. It was noted that they would need maple syrup for the event. Ms. Callum confirmed maple syrup donations were provided at various times over the years by the lessee of the maple orchard, but also by Bascom Maple Farm and from her; they usually do not need more than 5 gallons for the event. Commissioner Nelson noted he could donate this year, also.

**Agenda Item No. 4. Public Participation**

There was none.

*3:45 Archie Mountain left the room.*

**Agenda Item No. 6. Possible Executive Session Per RSA 91-A:3.c & e – Pending Contract Discussions**

**3:46 Motion: to go into Executive Session Per RSA 91-A:3.c.&e to discuss a pending contract issue. Made by: Barrette.  
Seconded by: Callum Jr. Roll call vote taken - all in favor.  
Those in Executive Session included Commissioners Nelson, Barrette and Callum, Greg Chanis, Marc Hathaway, Ted Purdy and Sharon Callum.**



**4:10 Motion: to come out of Executive Session. Made by: Barrette.  
Seconded by: Callum Jr. Voice vote: All in favor.**

No formal decision was required regarding the issue discussed in Executive Session.

*4:10 Mr. Chanis and Mr. Hathaway left the room.*

**Agenda Item No. 7      Possible Executive Session Per RSA 91-A:3.c –  
Matters which if discussed in public would  
likely affect adversely the reputation of any  
person**

**4:11 Motion: to go into Executive Session Per RSA 91-A:3.c Made  
by: Barrette. Seconded by: Callum Jr. Roll call vote taken - all  
in favor. Those in Executive Session included: Ted Purdy,  
Commissioners Nelson, Barrette and Callum, and Sharon  
Callum (minute taker).**

**4:27 Motion: to come out of Executive Session. Made by: Barrette.  
Seconded by: Callum Jr. Voice vote: All in favor**

No formal decision was required from the Board regarding the issue that was discussed in Executive Session.

**Agenda Item No. 5.a.    April 19, 2011 Public Meeting Minutes**

Agenda Item No. 5.a.      April 19, 2011 Public Meeting Minutes

**4:28 Motion: to approve the April 19, 2011 public meeting minutes  
as written. Made by: Barrette. Seconded by: Callum Jr. Voice  
vote: All in favor.**

Agenda Item No. 5.b.      April 19, 2011 Executive Session Meeting Minutes

**4:29 Motion: to approve and seal permanently, the April 19<sup>th</sup>  
Executive Session Meeting Minutes. Made by: Barrette.  
Seconded by: Callum Jr. Voice vote: All in favor.**

**4:30 Motion: to adjourn the meeting. Made by: Barrette. Seconded  
by: Callum Jr. Voice vote: All in favor.**

Respectfully submitted,



John M. Callum Jr., Clerk  
Board of Commissioners

JC/sjc

Date approved:

05/17/11



**Tuesday May 3<sup>rd</sup>, 2011**

Sullivan County NH, Board of Commissioners

**CDBG Public Hearing  
And  
Business Meeting**

**AGENDA - Revised**

**Location: Newport Remington Woodhull County Complex**

14 Main Street, Newport NH 03773

- |                   |    |   |
|-------------------|----|---|
| 3:00 PM – 3:30 PM | 1. | Public Hearings of: <ul style="list-style-type: none"><li>• Proposed \$220,000 CDFA CDBG Application</li><li>• Housing &amp; Community Development Plan</li><li>• Residential Antidisplacement and Relocation Assistance Plan</li></ul> |
| 3:30 PM – 3:45 PM | 2. | County Administrator's Report <ul style="list-style-type: none"><li>a. FY12 Budget Update – MS46 Review &amp; Authorization</li><li>b. Barn Lease Proposal Review</li><li>c. Primex Agreement Review</li></ul>                          |
| 3:45 PM – 4:00 PM | 3. | Commissioners' Report <ul style="list-style-type: none"><li>a. Commissioner Appointment to Nursing Home Trust Fund Committee</li><li>b. Any Other Old or New Business</li></ul>   |
| 4:00 PM – 4:10 PM | 4. | Public Participation  |
| 4:10 PM – 4:15 PM | 5. | Meeting Minutes Review <ul style="list-style-type: none"><li>a. April 19, 2011 Public Meeting Minutes</li><li>b. April 19, 2011 Executive Session Meeting Minutes</li></ul>   |

The times reflected on this agenda, other than the start time, are estimates. Actual time will depend on level of interest and participation.



- 4:15 PM – 4:30 PM 6. Possible Executive Session Per RSA 91-A:3.c&e Pending Contract Discussions
- 4:30 PM – 4:45 PM 7. Possible Executive Session Per RSA 91-A:3.c Matters which if discussed in public would likely affect adversely the reputation of any person
- 4:45 PM 8. Adjourn meeting

*Upcoming Events / Meetings:*

- **May 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, and 23<sup>rd</sup> Mondays: Delegation Executive Finance Committee FY 12 Budget Review Meetings**
- **Time: 8:30 AM – 3 PM**
  - Place: May 2<sup>nd</sup> – Unity Complex, 103 County Farm Road, Community Corrections Center
  - Place: May 9<sup>th</sup>, 16<sup>th</sup> and 23<sup>rd</sup> – Newport County-State Complex, 14 Main Street, Commissioners Conference Room 1<sup>st</sup> Floor
- **May 5<sup>th</sup> Thu. S.C. Criminal Justice Coordinating Committee Meeting**
- **Time: 11:30 AM**
  - Place: Newport County-State Complex, 14 Main Street – Jury Assembly Room, 1<sup>st</sup> Floor
- **May 6<sup>th</sup> Fri. County Sugar Bush Operation RFP's Due: 2 PM**
- **May 13<sup>th</sup> Fri. UNH President Discussions**
- **Time: 7:30 AM (RSVP Required)**
  - Place: Claremont, Sugar River Valley Regional Technical Center
- **May 17<sup>th</sup> Tue. Next Board of Commissioners Regular Business Meeting**
- **Time: 3 PM**
  - Place: Unity County Complex, 5 Nursing Home Drive, Sullivan County Health Care Facility, 1<sup>st</sup> Floor, Frank Smith Living Room
- **May 24<sup>th</sup> Tue. Business After Hours: Sullivan County DOC CCC & Regional Chamber of Commerce Members**
- **Time: 5:00 PM**
  - Place: Unity County Complex, 103 County Farm Road, Claremont NH 03743
- **May 30<sup>th</sup> Mon. Newport County – State Complex Closed in Observance of Memorial Day**

SULLIVAN COUNTY, NEW HAMPSHIRE  
Public Hearings Notice  
Community Development Block Grant Project

The Sullivan County Commissioners will hold three consecutive Public Hearings on Tuesday, May 3rd, 2011 at 3:00pm at the Remington Woodhull County Complex, 14 Main Street, Newport NH 03773. Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants. The subjects of the hearings are as follows:

1. A proposed application to the Community Development Finance Authority for up to \$220,000 in Community Development Block Grant Capacity Building funds. Of the 2011 Economic Development funds, up to \$200,000 will be subgranted to the New Hampshire Alliance of Regional Development Corporations, as a Grant to a Non-Profit, on behalf of its member entities; the individual regional development corporations will be the recipient of up to \$20,000 each. The funds will be used to assist with the operation of New Hampshire Regional Development Corporations and to promote economic development in New Hampshire. The project will provide funding to each of the state's participating RDC's to increase the expertise and capacity of the RDCs to capitalize and manage local revolving loan funds or expand lending activities and other economic development services.
2. The County's Housing and Community Development Plan.
3. The Residential Antidisplacement and Relocation Assistance Plan.

For persons with special needs, provisions can be made by contacting the Commissioner's Office (603-863-2560) or mail, at least five days prior to the public hearing.

Sullivan County Commissioners  
14 Main Street  
Newport, New Hampshire 03773  
(603) 863-2560

**HANDOUT**

**SULLIVAN COUNTY  
CDBG Applications**

Public Hearings  
May 3, 2011  
3:00pm

1 Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and up to \$350,000 for emergency activities, all projects must directly benefit primarily low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

This is a proposed implementation application to the Community Development Finance Authority for up to \$220,000 in Community Development Block Grant funds. Of the 2011 Economic Development funds, up to \$200,000 will be subgranted to the New Hampshire Alliance of Regional Development Corporations, as a Grant to a Non-Profit, on behalf of its member entities; the individual regional development corporations will be the recipient of up to \$20,000 each. The funds will be used to assist with the operation of New Hampshire Regional Development Corporations and to promote economic development in New Hampshire. The project will provide funding to each of the state's participating RDC's to increase the expertise and capacity of the RDCs to capitalize and manage local revolving loan funds or expand lending activities and other economic development services.

This project conforms with Sullivan County's Housing and Community Development Plan's Goal of: Encourage and support the development of a balanced, diversified, healthy, economy for the County. Objective: Promote the retention and expansion of employment opportunities.

Funding request: up to \$220,000

Discuss the updated Housing and Community Development Plan.

This project conforms with Sullivan County's Housing and Community Development Plan's Goal of: Encourage and support the development of a balanced, diversified, healthy, economy for the County. Objective: Promote the retention and expansion of employment opportunities.

**Residential Antidisplacement and Relocation Assistance Plan**

Although this project does not involve any displacement or relocation of persons or Businesses, if the County were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

**SCRIPT**

**SULLIVAN COUNTY  
CDBG Application**

Public Hearings

May 3, 2011, 3:00pm

(Please note in the minutes that informational packets were available)

**Commissioners Open Public Hearing**

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and up to \$350,000 for emergency activities, all projects must directly benefit primarily low and moderate income persons. Up to \$12,000 is available for feasibility study grants.

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Funding request: up to \$220,000

ASK FOR PUBLIC COMMENTS (the minutes must reflect that the public was asked for comments – even if there is no public there)

**Commissioners Close Public Hearing**

### **Commissioners Open Public Hearing**

Discuss the updated Housing and Community Development Plan.

This project conforms with Sullivan County's Housing and Community Development Plan's Goal of: Encourage and support the development of a balanced, diversified, healthy, economy for the County. Objective: Promote the retention and expansion of employment opportunities.

ASK FOR PUBLIC COMMENT

### **Commissioners Close Public Hearing**

### **Commissioners Open Public Hearing**

Residential Antidisplacement and Relocation Assistance Plan  
Although this project does not involve any displacement or relocation of persons or Businesses, if the County were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated.

ASK FOR PUBLIC COMMENT

### **Commissioners Close Public Hearing**

## **VOTING**

Commissioners vote to Re-adopt the Housing and Community Development Plan.

Commissioners vote to adopt the Residential Antidisplacement and Relocation Assistance Plan.

Commissioners vote to approve the submittal of the CDBG application **and** vote to authorize the County Administrator to sign and submit the application, and upon approval of the CDBG application, authorize the County Administrator to execute any documents which may be necessary to effectuate the CDBG contract.



## SULLIVAN COUNTY, NH HOUSING AND COMMUNITY DEVELOPMENT RE-ADOPTED PLAN

Sullivan County's Housing and Community Development Plan (Plan) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the County's housing and community development objectives and actions. The Housing and Community Development of the Upper Valley-Lake Sunapee Region, the master plans of the County's 15 communities, and the Regional Master Plan were used as the basis for the Plan.

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The county states that as a matter of policy, involuntary displacement of households from their neighborhoods, by actions of the County shall be minimized.

Citizen comments regarding the Plan have been solicited during the public hearings held in this current year in past years. The most recent public hearing was held on May 3, 2011.

### SULLIVAN COUNTY HOUSING AND COMMUNITY DEVELOPMENT PLAN GOALS AND OBJECTIVES ALL GOALS ARE BOTH SHORT AND LONG TERM

**GOAL I:** Encourage and support the development of a balanced, diversified, healthy, economy for the County.

Objective 1: Promote the retention and expansion of employment opportunities.

Objective 2: Encourage the location of businesses in appropriate locations.

Objective 3: Encourage and assist units of government and the private sector to provide the basic ingredients necessary for continued economic stability, specifically: land, infrastructure, labor force, energy and transportation.

Objective 4: Encourage the development of an industrial base which is clean, non-polluting and diversified.

Objective 5: Encourage and support units of government to provide viable, efficient and productive industrial areas so as to benefit the economy of the County.

- Objective 6: Encourage and assist units of government to provide adequate services, transportation and amenities to enhance the competitive position of the region's existing industries.
- Objective 7: Encourage the fullest use of existing industrial centers and benefit from existing facilities and services.
- Objective 8: Plan for the most beneficial siting and servicing of industry.
- Objective 9: Encourage and assist municipalities to provide viable, attractive, and efficient commercial areas to serve adequately the existing and anticipated retail/service business needs of the resident and seasonal/tourist population of the County.
- Objective 10: Support the provision of alternative and low-cost energy sources so as to attract and retain desirable industry and commerce.
- Objective 11: Promote tourism in the region.
- Objective 12: Encourage cooperation among local and County governments, business and civic organizations.
- Objective 13: Promote vocational education and job training programs.
- Objective 14: Encourage the development of local and county wide development tools, such as revolving loan fund, to facilitate development opportunities.
- Objective 15: Support the Sullivan County Economic Development Program, now known as the Western Region Development Committee.

**GOAL II:** Provide safe and convenient circulation patterns in Sullivan County.

- Objective 1: Provide an adequate road system and upgrade existing roads.
- Objective 2: Ensure that new roads and driveways and access points be located so as to maximize public safety.

**GOAL III:** Enhance the appearance of Sullivan County through the provision of attractive and well-planned landscaping and park areas.

- Objective 1: Promote the planting and maintenance of trees, shrubs, and lawn areas where such landscaping will visually enhance the appearance of the area.
- Objective 2: Reserve significant natural and man-made features of the landscape where such elements make a positive contribution to the overall appearance of Sullivan County.
- Objective 3: Provide expanded access and public park space along waterfront areas.
- Objective 4: Promote creative and well-planned utility design to reduce the cluttered

appearance of overhead cables, telephone poles, street lamps, etc.

**GOAL IV:** Encourage the protection, enhancement and renovation of significant historical and architectural resources in Sullivan County.

- Objective 1: Encourage full use/occupancy and historic structures to retain and enhance their economic viability and ensure that they will be maintained.
- Objective 2: Conduct an inventory and survey of historic structures and sites in Sullivan County.
- Objective 3: Encourage proper rehabilitation of historic buildings.
- Objective 4: Encourage property owners to have their buildings placed on the National Register of Historic Places, if appropriate and acceptable to the owners.
- Objective 5: Promote local history through display of photographs in public areas, placement of markers at key sites and structures and by encouraging the efforts and activities of historical groups.

**GOAL V:** Encourage adequate, safe and convenient housing for all age and income groups.

- Objective 1: Increase and improve housing through renovation and/or rehabilitation of existing structures and through new development.
- Objective 2: Encourage diversified housing patterns with a wide range of types and prices, including housing for the young, the elderly and the handicapped.
- Objective 3: Housing needs must be determined and an acceptable rural housing rehabilitation strategy should be developed.

**GOAL IV:** Promote the health and safety of the County's residents and visitors.

- Objective 1: Promote fire safety in all public and private buildings.
- Objective 2: Provide adequate lighting to maintain safety and nighttime visibility.
- Objective 3: Provide adequate police and fire protection.
- Objective 4: Provide adequate roads, which are properly maintained.
- Objective 5: Upgrade deficient water supplies in conformance with the Safe Water Drinking Act.

**GOAL VII:** Provide adequate health, social and recreational services for County residents.

- Objective 1: Promote the establishment of local community centers.

Objective 2: Provide office space for health and social services.

Objective 3: Recreational needs must be assessed. Plan for much-needed recreational community facilities.

Objective 4: Encourage the establishment of day care facilities and programs.

**GOAL VIII:** The County and local communities should continue to join with neighboring communities to provide certain community facilities and services when a regional approach is cost effective and reasonable.

Sullivan County does not have a Master Plan and Ordinances, but these goals are consistent with the Housing and Community Development of the Upper Valley-Lake Sunapee Region, the master plans of the County's 15 communities, and the Regional Master Plan (all of which were used in developing this Plan).

Any federal CDBG grant funds awarded to address any of these goals shall be expended consistent with national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, be used for public facility projects, employment opportunities, or feasibility studies. All CDBG funded projects, shall primarily benefit low and moderate income persons or households, and shall not benefit moderate income persons or households to the exclusion of low income persons or households.

Date Signed: \_\_\_\_\_

\_\_\_\_\_  
Sullivan County Commissioner, Chair

\_\_\_\_\_  
Sullivan County Commissioner, Vice-Chair

\_\_\_\_\_  
Sullivan County Commissioner, Clerk

\_\_\_\_\_  
County Administrator

Witness: \_\_\_\_\_

**DISPLACEMENT AND RELOCATION CERTIFICATION**  
Sullivan County

**RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the County.

However, if the situation should arise, Sullivan County will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion date of the demolition or conversion;
- e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
  1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:
  2. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.

- i. The right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and
- j. The right of appeal to the director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.
- k. Subparagraph (2) a. through g. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

#### CERTIFICATION OF COMPLIANCE

Sullivan County anticipates no displacement or relocation activities will be necessitated by this project. Should some unforeseen need arise, the County certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

NAME: \_\_Greg Chanis\_\_

TITLE: \_\_County Administrator\_\_

SIGNATURE: \_\_\_\_\_

DATE: May 3, 2011

# MUNICIPAL CERTIFICATION

To the best of my knowledge, the data in this application is true and correct, and this application submittal has been authorized by the Sullivan County Commissioners, New Hampshire. Sullivan County will comply with all federal and state laws, rules, regulations and requirements, including those in PART Cdfa 300 - CDBG Administrative Rules.

Furthermore, I certify that:

- The municipality affirmatively furthers fair and affordable housing; and
- Where applicable, the proposed project is consistent with the municipal master plan, the Housing and Community Development Plan (HCDP), the Residential Antidisplacement & Relocation Assistance (RARA) Plan and that all planning and zoning requirements have been met.
- Where applicable, the municipality shall provide adequate funds to operate and maintain the public facility or improvement after the completion of the project. (Not Applicable)

Greg Chanis  
Name of Designated CEO:

County Administrator  
Title:

\_\_\_\_\_  
Signature

May 3, 2011  
Date

## NOTARY SECTION

State of New Hampshire

County of Sullivan

On this 3<sup>th</sup> day of May, 2011 before me, \_\_\_\_\_, the undersigned officer, personally appeared Greg Chanis, who acknowledged him/herself to be the Sullivan County Administrator, and that he/she, as such, being authorized so to do, executed the foregoing certification for the purposes therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

Seal

\_\_\_\_\_  
Notary Public/Justice of the Peace

My Commission expires: \_\_\_\_\_

Applicant/Recipient  
Disclosure/Update Report

U.S. Department of Housing  
and Urban Development

OMB Approval No. 2510-0011 (exp. 3/31/2003)

Appendix B.11

**Instructions.** (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

**Applicant/Recipient Information**

Indicate whether this is an Initial Report ☒ or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code):

Sullivan County Commissioners  
14 Main Street  
Newport, New Hampshire 03773  
(603) 863-2560

2. Social Security Number or  
Employer ID Number:

3. HUD Program Name

Community Development Block Grant

4. Amount of HUD Assistance  
Requested/Received

Up to \$220,000

5. State the name and location (street address, City and State) of the project or activity:

Statewide

**Part I Threshold Determinations**

1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).

X Yes ☐ No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9

X Yes ☐ No.

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

**Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.**

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds
CDFA	CDBG	Up to \$220,000	Alliance

(Note: Use Additional pages if necessary.)

**Part III Interested Parties.** You must disclose:

1. All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
2. any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)
Alliance of REDCs			Up to \$200,000

(Note: Use Additional pages if necessary.)

**Certification**

**Warning:** If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature:

Date: (mm/dd/yyyy)

X \_\_\_\_\_, Greg Chanis, County Administrator

May 3, 2011



# PROPOSED BUDGET AND ESTIMATE OF REVENUE - COUNTY

For: SULLIVAN CountyDATE OF CONVENTION: \_\_\_\_\_ Fiscal Year Ending: Proposed FY'12 Commissioners Budget

Mailing Address: \_\_\_\_\_

Phone #: 603-863-2560 Fax #: 603-863-9314 E-Mail: commissioners@sullivancountynh.govPrepared by: Dodi Violette, Account Clerk I

Use this form to prepare the county budget for delivery to each member of the county convention who will be in office on the date of appropriation vote and to the chairman of the board of selectmen or mayor for each city/town within the county, and to the Secretary of State as required by RSA 24:21-a.

## COMMISSIONERS

Please sign in ink.ChairVICE CHAIRCLERK

Bernie Nolan  
John R. B...  
John ...

5/3/11This form is available on our website: [www.nh.gov/revenue](http://www.nh.gov/revenue)

FOR DRA USE ONLY

NH DEPARTMENT OF REVENUE ADMINISTRATION  
MUNICIPAL SERVICES DIVISION  
P.O. BOX 487, CONCORD, NH 03302-0487  
(603)271-3397

1	2	3	4	5
Acct.#	APPROPRIATIONS OR EXPENDITURES	Appropriations Previous Fiscal Year 11	Expenditures to 3/31/2011	Proposed Budget FY'12
	GENERAL GOVERNMENT	xxxxxxxxxx	xxxxxxxxxx	xxxxxxxxxx
4110	County Convention Costs	5,500.00	808.91	4,500.00
4120	Judicial			
4122	Jury Costs			
4123	County Attorney's Office	477,257.00	320,352.68	510,346.00
4124	Victim Witness Advocacy Program	68,256.00	45,868.35	71,215.00
4130	Executive	409,196.00	265,923.39	421,298.00
4150	Financial Administration	59,500.00	33,563.00	37,872.00
4151	Treasurer	7,559.00	4,504.64	6,184.00
4153	Other Legal Costs			
4155	Personnel Administration	294,014.00	188,397.69	293,739.00
4191	Planning and Zoning for Uninc.Places			
4192	Medical Examiner	9,000.00	3,680.36	9,000.00
4193	Register of Deeds	335,362.00	249,664.45	346,645.00
4194	Maintenance of Government Bldg.	198,657.00	150,464.13	203,766.00
	Other (specify) Audit, HR, DA, WF, FG	516,974.00	497,442.35	631,169.00
	PUBLIC SAFETY			
4211	Sheriff's Department	670,323.00	442,907.12	675,456.00
4212	Custody of Prisoners			
4214	Sheriff's Support Services			
4219	Other Public Safety	251,027.00	181,921.25	236,109.00
	CORRECTIONS			
4230	Corrections	3,557,101.00	2,391,622.15	3,774,000.00
4235	Adult Probation and Parole			
4300	County Farm Expense	12,000.00	2,653.94	15,000.00
	COUNTY NURSING HOME			
4411	Administration	1,227,185.00	691,031.58	1,294,402.00
4412	Operating Expense	13,311,018.00	7,482,657.37	13,786,219.00
4439	Other Health			
	HUMAN SERVICES			
4442	Direct Assistance	4,941,360.00	3,265,264.36	5,107,567.00
4443	Board and Care of Children	0.00	0.00	0.00
4446	Diversion Program	0.00	0.00	0.00
4447	Special Outside Services	163,250.00	81,625.00	171,878.00
	Other (Specify)			



Appendix C.4

1	2	3	4	5
Acct.#	SOURCES OF REVENUES	Estimated Revenue Previous Fiscal Year 11	Actual Revenue to 3/31/2011	Estimated Revenue Ensuing Fiscal Year 12
	ASSESSMENTS/TAXES	XXXXXXXXXX	XXXXXXXXXX	XXXXXXXXXX
3110	Property Taxes Levied for Unincorporated Places			
3120	Land Use Change Taxes for Unincorporated Places			
3180	Resident Taxes for Unincorporated Places			
3185	Yield Taxes for Unincorporated Places			
3186	Payments in Lieu of Taxes for Unincorporated Places			
3187	Payments in Lieu of Taxes			
3189	Other Taxes PRIOR YEAR SURPLUS	0.00	0.00	0.00
3191	Penalties on Delinquent Municipal Assessments			
3200	Licenses, Permits, and Fees			
3319	REVENUE FROM THE FEDERAL GOVERNMENT			
	REVENUE FROM THE STATE OF NH			
3351	Shared Revenue for Unincorporated Places			
3352	Incentive Funds	0.00	0.00	0.00
3354	Water Pollution Grants	0.00	0.00	0.00
3355	Housing and Community Development PROSHARE	475,000.00	0.00	598,052.00
3356	State & Fed. Forest Land Reim. in Unincorporated Places			
3359	Other (Specify) V/W, Extradition & State Grants	1,081,024.00	1,163,019.40	684,769.00
3379	INTERGOVERNMENTAL REVENUES			
	REVENUES FROM CHARGES FOR SERVICES			
3401	Sheriff's Department	434,483.00	274,328.66	402,735.00
3402	Register of Deeds	350,000.00	258,202.69	350,000.00
3403	County Corrections	65,000.00	35,207.18	65,000.00
3404	County Nursing Homes	12,176,830.00	8,615,522.55	12,240,337.00
3405	County Farm	0.00	4,349.55	10,000.00
3407	Maintenance Department			
3409	Other (Specify) HS, Juv Xports & Parental	0.00	146.00	0.00

1	2	3	4	5
Acct.#	SOURCES OF REVENUES	Estimated Revenue Previous Fiscal Year 11	Actual Revenue to 3/31/2011	Estimated Revenue Ensuing Fiscal Year 12
	REVENUE FROM MISCELLANEOUS SOURCES	xxxxxxxxx	xxxxxxxxx	xxxxxxxxx
3501	Sale of County Property			
3502	Interest on Investments	17,500.00	19,644.13	17,500.00
3503	Rents of Property	200,187.00	150,595.16	206,007.00
3508	Contributions and Donations			
350_	Other (Specify) Misc Income	0.00	1,831.45	0.00
350_	Other (Specify) Prior Year Fund Balance			555,500.00

	OTHER FINANCIAL SOURCES			
3912	Transfer from Special Revenue Funds	0.00	0.00	0.00
3913	Transfer from Capital Projects Funds	0.00	0.00	0.00
3914	Transfer from Proprietary Funds	574,015.00	430,511.27	0.00
3915	Transfer from Capital Reserve Funds			
3916	Transfer from Trust and Agency Funds	2,700.00	4,826.00	6,500.00
3934	Proceeds from Long-Term Notes/Bonds			
	REVENUE SUBTOTAL	15,376,739.00	10,958,184.04	15,136,400.00
	FUND BALANCE TO REDUCE TAX RATE			
	TOTAL REVENUES	15,376,739.00	10,958,184.04	15,136,400.00
	TAXES	13,310,658.00	13,310,658.00	14,035,995.00

BUDGET SUMMARY

Proposed Total Appropriations	11	29,172,395.00
Total Estimated Revenues	11	15,136,400.00
Proposed Amount to be Raised by Taxes	11	14,035,995.00

Appendix D.

John Cressy, Sullivan County Facilities Director  
County Commissioners' Office  
14 Main Street, Newport, NH 03773

April 13, 2011

Re: Barn Lease Proposal

Dear Mr Cressy:

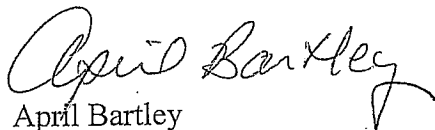
My husband Patrick Bartley and I are interested in leasing the barn located on County Farm Road adjacent to the County facility. The property also happens to be located directly across the road from our personal residence.

We would like to use the barn primarily for hay storage for our horses. We would also like to use the surrounding open land for summer pasture for our horses. We would put up temporary solar or battery powered electric fencing for the pasture.

We would like to propose a 5 year lease with first right of renewal. We would like to propose an annual amount of \$725, but would be willing to negotiate this amount if necessary. We would be responsible for maintaining the building to prevent further deterioration.

My husband and I would be glad to meet with you at your convenience. We can be reached at home 603-542-6485 or via e-mail [abartley@hcsservices.org](mailto:abartley@hcsservices.org).

Sincerely,

  
April Bartley

APR 20 '11 PM 12:12

Sullivan County  
Board of Commissioners  
14 Main Street  
Newport, NH 03773  
4/28/11

Dear Commissioners,

It has come to the Unity Planning Board's attention that the County Commissioners are planning on leasing a 2 acre portion of 42 acres of land that was formerly known as the St. Saviour property. This lease would also include use of the barn which now exists on this property. With all due respect to the Commissioners, the Unity Planning Board wishes to inform you, you need to subdivide before you are able to lease. The following RSA 674:54 Local Land Use Planning and Regulatory Powers on Governmental Use of Property of which you already have a copy states the following:

674:54 Governmental Land Use 1. In this section, "governmental use" means a use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the community college system or New Hampshire, or by a county, town, city, school district, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature.

674:54 II-a states Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations, which would be the Town of Unity's Planning Board.

Present law with additions passed July 17, 2007 however this law has been in effect since 1996.

672:14 Subdivision.- 1. "Subdivision" means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The lease you are proposing requires subdivision.

I have contacted Chris Northrop, Planner for the New Hampshire Office

of Energy and Planning, whom the Planning Board from time to time asks for his advice by email and on the telephone. He responded to my questions as follows: 674:54 II-a "If the commissioners plan is to lease 2 acres of the 42 acre lot, that would appear to be a "subdivision" under the statutory definition and likely under the Unity definition as well. Since, what is proposed is not a county governmental use, it would have to comply with local regulations and thus need planning board approval. (I also stated to Mr. Northrop that Unity has a 3 acre minimum requirement for sub-division) and he responded "In your phone call you also mentioned that Unity has a minimum lot size requirement of three acres so the proposed 2 acre lease portion would appear to fail that requirement as well."

The Sullivan County Board of Commissioners Public Meeting August 19, 2008 on Zoning & Planning Provisions Counsel Opinion. Mr. Hathaway advised, if the County leases the property they have to deal with all the normal zoning and restrictions; ( Attorney Hathaway was referring to the proposal by the Sportsman Club to build a firing range on County land) If the county does not and uses it as a primary governmental function, they need only give notice to the Town of Unity, allowing the Town the opportunity to review the County's plan and be heard. (In this case the Commissioners decided to go with a Law Enforcement Range ) thereby not triggering a subdivision of county property.

We have not spoken with Attorney Hathaway on this particular proposed lease as of today.

Another communication from Attorney Fitzgerald dated August 18, 2008 was speaking with the Planning Board Chairman Susan Lawrence on the legality of the lease on the former St. Saveur property of a portion of the 42 acre owned by the County. "Based on our conversation of this morning it is my understanding that only a portion of the property will be utilized for agricultural purposes, including potentially one building that is already on site. This being the case, it would seem to me that the rather broad definition of "subdivision" that the State has adopted would apply.

The Planning Board has tried contacting Attorney Fitzgerald for an update on this particular issue but he is on vacation and will not be back until Monday next week. However this document will go by email today to his office.

Sincerely, Ethel Jarvis, Planning Board Chairman



**Sharon Callum**

---

**From:** Ethel Jarvis <ejarvis@myfairpoint.net>  
**Sent:** Tuesday, May 03, 2011 12:23 PM  
**To:** sharonjc@sullivancountynh.gov  
**Subject:** Fw: From Ethel Jarvis, Planning Board Chairman Unity

Hi Sharon, Would you make a copy of the information I have received from Chris Northrop and give it to the commissioners today. I have contacted a lawyer Paul Fitzgerald who has given his time to the Unity Planning Board in the past. He called this morning and will be emailing an opinion letter plus a hard copy in the mail to me. As soon as I get his letter I will send it or bring it as the case may be. I will be taking this information to the Planning Board tonight as well. I have not met with Marc Hathaway yet. Thank You. Ethel Jarvis Unity Planning Board Chairman.

----- Original Message -----

**From:** Northrop, Chris  
**To:** Ethel Jarvis  
**Sent:** Wednesday, April 27, 2011 2:32 PM  
**Subject:** RE: From Ethel Jarvis, Planning Board Chairman Unity

Ethel,

You are correct in citing RSA 674:54, II-a that says "Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations." Assuming the leasing of 2 acres is for the care of horses and to refurbish the barn, that appears to be a function of Sullivan county government and thus would be "fully subject to local land use regulations."

Local land use regulations would include zoning and subdivision regulations. You stated that the Unity zoning ordinance is one agricultural zone so I would assume that the use of the land to care for horses would not be contrary to the ordinance. The issue appears to be with subdivision regulations. I'm not familiar with the definition of "subdivision" in the Unity Subdivision Regulations but the statutory definition is "the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided." [672:14] (emphasis added)

If the commissioners plan is to lease 2 acres of the 42 acre lot, that would appear to be a "subdivision" under the statutory definition and likely under the Unity definition as well. Since this is not a county governmental use, it would have to comply with local regulations and thus need planning board approval. In your phone call you also mentioned that Unity has a minimum lot size requirement of three acres so the proposed 2 acre lease portion would appear to fail that requirement as well.

I hope the foregoing comments are useful. If you have additional questions, please let me know.

Lastly, here is a link to Chapter Law 281 of 1998 (SB 363) when paragraph II-a was added to RSA 674:54. For additional legislative history, you would need to review House and Senate records of 1998 to look for any committee reports or floor discussion referencing SB 363.

Chris.

-----  
 Christopher L. Northrop, AICP  
 Principal Planner  
NH Office of Energy and Planning  
 4 Chenell Drive  
 Concord, NH 03301-8501  
 Phone: 603.271.2155  
 Fax: 603.271.2615

Email: [chris.northrop@nh.gov](mailto:chris.northrop@nh.gov)

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E.4

All information provided by the New Hampshire Office of Energy and Planning (OEP) is made available for the convenience of interested persons. While OEP makes every effort to provide information that is reliable, human or mechanical error remain a possibility. Therefore, OEP makes no guarantee as to the accuracy, completeness or currency of the information. Neither OEP nor any of the sources of the information shall be responsible for any errors or omissions, or for the use or result obtained from the use of this information.

The contents of this message are confidential. Any unauthorized disclosure, reproduction, use or dissemination (either whole or in part) is prohibited. If you are not the intended recipient of this message, please notify the sender immediately and delete the message from your system.

-----Original Message-----

**From:** Ethel Jarvis [mailto:[ejarvis@myfairpoint.net](mailto:ejarvis@myfairpoint.net)]

**Sent:** Wednesday, April 27, 2011 12:56 PM

**To:** Northrop, Chris

**Subject:** From Ethel Jarvis, Planning Board Chairman Unity

Chris, Another lease is being proposed on Sullivan County land. The land consists of 42 acres and the residents who live across the road proposed use of the barn and 2 acres of the property. They propose to place horses there and I assume refurbish the barn. (Not a smart move by the commissioners and the tax will go up). The land is in Current Use. I went to the commissioners meeting and pleaded with them not to do this unless they come to the Planning Board, as the lease was considered a sub-division. They said what would you do about it? I said probably take you to court. I read the RSA to them and what constitutes a sub-division under the current laws. The Chairman told me to get a letter from people in the know like you and present it to them. If you could take the time soon to write a letter to me by e-mail that would be sufficient. Prior to this new lease there was a deal with a Sportsman Club for them to lease some property from the county (again a private entity) for a firing range and you wrote on that I believe. So they finally stopped that and built one only for sullivan county law enforcement with very strict rules and reg's. The law I used was 674:54 Local Land Use Planning and Regulatory Powers. Governmental Use of Property. 674:54 II a Any use, construction, or development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations. I used 672:14 Subdivision Paragraph I. Thank you for your consideration. I will also call.

Ethel Jarvis Chairman of the Unity Planning Board [ejarvis@myfairpoint.net](mailto:ejarvis@myfairpoint.net) Tel 603-863-2603

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46 Donovan Street  
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Claims  
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Education, Training & Consulting  
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Primex<sup>3</sup> Finance & Health  
(603) 226-6903

Member Services/  
Risk Management Services  
(603) 228-0650

February 25, 2011

Sullivan County  
Greg Chanis, County Administrator  
14 Main Street  
Newport, NH 03773

Announcing the new **Contribution Assurance Program (CAP)** for the Workers' Compensation Program

Dear Greg:

Primex<sup>3</sup> is pleased to announce the new Contribution Assurance Program (**CAP**) designed specifically for members who have demonstrated a long-term commitment to the Workers' Compensation Program. **CAP** will give members who qualify for and sign a Multi-Year Agreement the assurance of predictable contributions for up to three (3) years.

Our goal has always been to provide members with the best programs at the best value. Now, add the best long-term contribution assurance and you have a commitment like no other. The **CAP** provides predictable contributions in the Workers' Compensation program that you and your taxpayers can count on for budgetary stability.

For members who have demonstrated commitment to the Primex<sup>3</sup> pool, **CAP** provides stability by creating a limit on your Workers' Compensation contributions for future renewals.

Members in the Workers' Compensation **CAP** will have limits on their total contribution increases. The maximum increase each year is eight percent (8%) which means that the most a total contribution will increase is eight percent (8%) during each qualified year of a multi-year agreement. **CAP** is currently a three year program (see the list of qualified years below). The actual yearly increases will not exceed the maximum, and will be based on your performance and exposure changes. ***This means that your total increase may be less than eight percent (8%) but no contribution increase will exceed the eight percent (8%) maximum in a given year while in this program.***

The following years qualify for the **Contribution Assurance Program (CAP)**:

**CY 2012** January 1 to December 31, 2012

**CY 2013** January 1 to December 31, 2013

**CY 2014** January 1 to December 31, 2014

Thank you for your commitment to the Workers' Compensation Program through 12/31/2013 for which you will continue to receive your discount for the upcoming duration of your Multi-Year Agreement.

In further recognition of your commitment, we are pleased to offer you participation in the Contribution Assurance Program (**CAP**) until 12/31/2013. (See enclosed **CAP Addendum**.) Please return your executed **CAP Addendum** by May 17, 2011.

The following years qualify for the **Contribution Assurance Program (CAP)**:

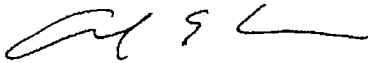
CY 2012	January 1 to December 31, 2012 (maximum 8% increase over January 1 to December 31, 2011 contribution)
CY 2013	January 1 to December 31, 2013 (maximum 8% increase over January 1 to December 31, 2012 contribution)

In the fall of 2013, you may qualify for the next three (3) year **CAP** based on your performance. We encourage you to contact your Member Services Consultant to discuss future **CAP** participation.

We understand that you have a choice when it comes to your coverage needs and we hope you will give Primex<sup>3</sup> the opportunity to broaden our partnership with you. By giving careful consideration to our complete range of coverage options, you can be sure that your local taxpayers are getting the best value. We look forward to working with you to explore alternative coverage and pricing options for all lines of coverage.

Please contact your Member Services Consultant or myself with questions at 1-800-698-2364. We would be happy to talk with you or arrange for you to discuss your risk management performance with our experts.

Sincerely,



Carl E. Weber  
Director of Member Services

Enclosures

# Contribution Assurance Program (CAP)

Workers' Compensation ■ Property & Liability

Stability + Value = Peace of Mind

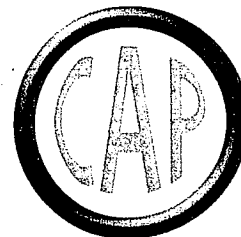
Primex<sup>3</sup> is pleased to announce the new **Contribution Assurance Program (CAP)** designed specifically for members who have demonstrated a long-term commitment to the Workers' Compensation and Property & Liability coverage programs. CAP will give members who sign, or are currently in a Multi-Year Agreement, the assurance of a predictable contribution for up to three (3) years.

Our goal has always been to provide members with the best programs at the best value. Now, add the best long-term contribution assurance and you have a commitment like no other. CAP provides a predictable contribution in the Workers' Compensation and Property & Liability programs that you and your taxpayers can count on for budgetary stability.

For members who have demonstrated commitment to the Primex<sup>3</sup> pool, CAP provides stability by creating a limit on your Workers' Compensation and Property & Liability contributions for future renewals.

Any yearly increases will not exceed the maximum, and will be based on your performance and exposure changes. The result is the stability and predictability that we know our members need during these challenging economic times.

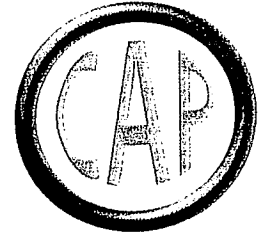
*The CAP provides a predictable contribution in the Workers' Compensation and Property & Liability programs that you and your taxpayers can count on for budgetary stability.*



Contribution  
Assurance Program

You have a choice when it comes to your coverage needs, and Primex<sup>3</sup> can assist you in exploring your options. We encourage you to contact Member Services at 1-800-698-2364 to see how you qualify for the Contribution Assurance Program (CAP).

# Contribution Assurance Program (CAP) Frequently Asked Questions for Workers' Compensation and Property & Liability *Stable Assurance from Your Trusted Partner*



Contribution  
Assurance Program

## OVERVIEW

### 1. What is CAP?

The Contribution Assurance Program provides the security of a predictable contribution for members who are in a Multi-Year Agreement in their Workers' Compensation and Property & Liability coverage programs.

### 2. Why are you offering CAP?

To further fulfill our mission to provide stable and predictable contributions.

### 3. How does CAP work?

Once enrolled in CAP, members can calculate their contribution for the next renewal period by increasing their current contribution by the cap percentages listed in Question 7, below. That figure can then be confidently used in the next budget cycle as a not-to-exceed contribution amount.

### 4. Who can participate in CAP?

Members who qualify for, and commit to, a Multi-Year Agreement by practicing effective risk and claims management practices and achieving positive risk management performance.

### 5. Where can we get additional information about CAP?

Contact our Member Services team at 1-800-698-2364.

## DETAILS

### 6. Which years currently qualify for CAP?

CY 2012 January 1 to December 31, 2012  
(maximum increase over January 1 to December 31, 2011 contribution)

FY 2013 July 1, 2012 to June 30, 2013  
(maximum increase over July 1, 2011 to June 30, 2012 contribution)

CY 2013 January 1 to December 31, 2013  
(maximum increase over January 1 to December 31, 2012 contribution)

FY 2014 July 1, 2013 to June 30, 2014  
(maximum increase over July 1, 2012 to June 30, 2013 contribution)

CY 2014 January 1 to December 31, 2014  
(maximum increase over January 1 to December 31, 2013 contribution)

## FAQs about (CAP)



Contribution  
Assurance Program

**7. What are the CAP percentages?**

For the Workers' Compensation Program, the maximum increase per year while participating in CAP is 8% for every qualifying year listed above. For the Property & Liability Program, the maximum increase per year while participating in CAP is 7% for every qualifying year. (see question #6 for qualified years)

**8. Why are the Workers' Compensation and Property & Liability percentages different?**

The maximum Workers' Compensation increase is higher at 8% due to the impact of ever-increasing medical inflation, currently in double digits.

**9. Will the actual contribution increases be 8% for Workers' Compensation and 7% for Property & Liability for each year of the CAP program?**

The percentages listed are maximums. Actual increases will not exceed that percentage, but could actually be lower based on each member's, and the pool's, risk management performance and exposure changes. Performance still impacts contribution amounts, so it remains important for both Primex<sup>3</sup> and our members to leverage our partnership to effectively manage risks and any claims that occur.

**10. Do we have to participate in CAP?**

Members entering or already in a Multi-Year Agreement will automatically be offered the benefits of CAP and will only need to sign and return the CAP Addendum to begin experiencing the benefits. If for some reason you would rather not participate, please contact our Member Services Team at 1-800-698-2364.

**11. What do I have to do to participate in CAP?**

If you received a CAP Addendum to your existing Multi-Year Agreement, please sign and return the documents by May 17, 2011. You may fax it to 603-228-0650, but please mail the original to: Primex<sup>3</sup>, Attn: Member Services Department, for our records. If you did not receive any CAP documents, we encourage you to contact your Member Services Consultant to discuss future CAP participation.

**12. Will we continue to receive a discount for our existing Multi-Year Agreement as well as the predictable contribution under CAP?**

Yes. However, upon the expiration of your current MYA term you will be offered CAP, if eligible, and the three (3) year CAP will no longer include discounts for the Multi-Year Agreements.

# FAQs about (CAP)



Contribution  
Assurance Program

## 13. Why would we sign another Multi-Year Agreement when our current one expires?

Only members in a Multi-Year Agreement can participate in CAP and be assured of a predictable contribution.

## 14. What if our Multi-Year Agreement is longer than the years eligible in CAP?

If your Multi-Year Agreement extends beyond the eligible years in the CAP program, you will continue to receive your discounts for the duration of your existing Multi-Year Agreement. However, only the qualified years are currently eligible for CAP. (see question #6 for qualified years)

## 15. We are not currently in a Multi-Year Agreement so how can we participate in this program?

If you qualify, your package will include a CAP Agreement and/or Multi-Year Agreement to adopt, sign, and return to us. CAP eligibility is based on your performance and commitment to the pool. We encourage you to contact your Member Services Consultant to discuss future CAP participation.

## 16. Is there anything we can do to help qualify us for the CAP?

Yes. We encourage you to contact your Member Services Consultant to discuss future CAP participation. There are various options and services available to you to assist in qualifying for the multi-year commitments and CAP such as the PRIME<sup>3</sup> Program, Best Doctors and Temporary Alternate Duty (TAD) implementation.

## 17. How long will CAP be in effect?

The Primex<sup>3</sup> Board of Trustees is committed to providing long term contribution stability and predictability for members. The initial period for CAP is three years, but the Trustees and Primex<sup>3</sup> staff are looking beyond this time frame so members who participate can continue to receive the benefit of predictable contributions each year they are in the program.

## 18. Will subsequent CAP programs use the same percentages?

We will conduct a review at the end of each multi-year term to determine the percentage increases for the next three (3) year CAP.





Contribution  
Assurance Program

## Contribution Assurance Program (CAP) Addendum to Multi-Year Discount Program Agreement Property & Liability

Primex<sup>3</sup> is pleased to offer our current and future Multi-Year Discount Program members an opportunity to further stabilize their annual property and liability contributions through participation in our Contribution Assurance Program (CAP). Participation in Primex<sup>3</sup> CAP will guarantee that your annual contribution during a defined period of years will not exceed seven percent (7%) of the prior year's contribution. Because performance matters with Primex<sup>3</sup>, you may realize an annual increase that is less than the CAP through sound risk management and stable underwriting exposures.

**Sullivan County** current Multi-Year Agreement status is **June 30, 2016**. Based on your current Multi-Year Agreement status, you are eligible for CAP for the following defined period of years (**CAP Period**):

The following years qualify for the **Contribution Assurance Program (CAP)**:

<b>FY 2013</b>	<b>July 1, 2012 to June 30, 2013</b> (maximum 7% increase over July 1, 2011 to June 30, 2012 contribution)
<b>FY 2014</b>	<b>July 1, 2013 to June 30, 2014</b> (maximum 7% increase over July 1, 2012 to June 30, 2013 contribution)

The following years do not currently qualify for the **Contribution Assurance Program (CAP)** but the current multi-year discount remains:

<b>FY 2015</b>	<b>July 1, 2014 to June 30, 2015</b>
<b>FY 2016</b>	<b>July 1, 2015 to June 30, 2016</b>

The 7% maximum increase currently available for this **CAP Period** does not apply to any other year or period of years. Upon expiration of the **CAP Period** in this Addendum, any subsequent participation in a Primex<sup>3</sup> CAP will be subject to underwriting review, membership criteria, multi-year agreement criteria, determination of contribution and the maximum increase in place for the subsequent CAP period. All provisions set forth in your Multi-Year Discount Agreement, and all Primex<sup>3</sup> documents incorporated by reference therein, shall remain in effect for the term of the Multi-Year Discount Agreement. By affixing my signature below, **Sullivan County** agrees to participate in Primex<sup>3</sup> CAP as set forth above.

\_\_\_\_\_  
Authorized Representative of the Governing Body

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title



**Contribution Assurance Program (CAP)  
Addendum to Multi-Year Discount Program Agreement  
Workers' Compensation**

Primex<sup>3</sup> is pleased to offer our Multi-Year Agreement members an opportunity to further stabilize their annual workers' compensation contributions through participation in our Contribution Assurance Program (**CAP**). Participation in Primex<sup>3</sup> **CAP** will guarantee that your annual contribution during a defined period of years will not exceed eight percent (8%) of the prior year's contribution. Because performance matters with Primex<sup>3</sup>, you may realize an annual increase that is less than the **CAP** through sound risk management and stable underwriting exposures.

**Sullivan County's** current Multi-Year Discount Agreement **expires December 31, 2013**. Based on your current Multi-Year Agreement status, you are eligible for **CAP** for the following defined period of years (**CAP Period**):

The following years qualify for the **Contribution Assurance Program (CAP)**:

<b>CY 2012</b>	<b>January 1 to December 31, 2012</b> (maximum 8% increase over January 1 to December 31, 2011 contribution)
<b>CY 2013</b>	<b>January 1 to December 31, 2013</b> (maximum 8% increase over January 1 to December 31, 2012 contribution)

The eight percent (8%) maximum increase currently available for this **CAP Period** does not apply to any other year or period of years. Upon expiration of the **CAP Period** in this Addendum, any subsequent participation in a Primex<sup>3</sup> **CAP** will be subject to underwriting review, membership criteria, multi-year agreement criteria, determination of contribution and the maximum increase in place for the subsequent **CAP Period**.

All provisions set forth in your existing Multi-Year Discount Agreement, and all Primex<sup>3</sup> documents incorporated by reference therein, shall remain in effect for the term of the Multi-Year Discount Agreement.

By affixing my signature below, **Sullivan County** agrees to participate in Primex<sup>3</sup> **CAP** as set forth above.

\_\_\_\_\_  
Authorized Representative of the Governing Body

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

February 25, 2011